

REMARKS

The present amendment is in response to a non-final Office Action mailed July 6, 2005.

Claim Amendments

As noted above, claims 13, 24, 29-34, 40, 44, 48 and 51 have been amended. Claims 54-55 have been added.

Objection to Claims

Claims 13 and 51 stand objected to based on typographical errors. These claims have been amended to correct these informalities.

Claims 38, 39 and 51 stand objected to as being dependent from an allowable base claim. As discussed below, Applicant submits that claims 38, 39 and 51 hereby depend from allowable claims 13 and 48 respectively.

Therefore, Applicant respectfully requests withdrawal of these objections.

Rejection of Claims under 35 U.S.C. §102(b)

Rejection of claims 32 and 34

Claims 32 and 34 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,184,297 ("Casamayor").

Applicant respectfully traverses and submits that above-noted claims, as amended, are not anticipated by the teachings of Casamayor.

Claims 32 and 34 recite, *inter alia*, "temporary support members disposed on the first frame member and the second frame member." Casamayor discloses a window assembly with perimeter and jointer strips. The Casamayor window assembly also includes interlocking elements (13-15) for securing the different elements together. This window assembly does not disclose the claimed support members of claims 32 and 34 as Casamayor only discloses the interlocking elements (13-15) and feathers (e.g. 93, 95) extending from the channel forming members (e.g. 86, 87). Furthermore, Casamayor would not need or utilize the claimed temporary support members of claims 32 and 34 because Casamayor includes hinges (e.g. 11) for separating the channel forming members.

Therefore, the present rejection is improper. Applicants request reconsideration and withdrawal.

Rejection of Claims under 35 U.S.C. §103(a)

Rejection of claims 13-20, 29, 31, 33, 40-45, 48-49 and 52-53

Claims 13-20, 29, 31, 33, 40-45, 48-49 and 52-53 currently stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,272,801 (“Suh”).

Applicant respectfully traverses and submits that the above-noted claims, as amended, are not obvious in view of Suh.

Claims 13, 29, 31, 33, 40, 44 and 48 recite, *inter alia*, temporary support members “operable when joined to keep said frame members in registry without the first screwless interlock and the second screwless interlock being in registry during handling of the joined frame members prior to installation.” As illustrated in Fig. 6A of Suh, the frame member 130 has a symmetrical alignment of the outward facing posts 162. (See also Figs. 9A and 9B, latches 163). Furthermore, Suh only discloses the outward extension of posts 162 or other embodiments latches 163. Therefore, Suh does not disclose the claimed temporary support members of the above-noted claims because the symmetry of Suh does not allow for interlock offsets and only the posts 162 / latches 163 are disclosed. As such, Applicant submits the rejection is improper.

It is further submitted that claims 14-20, 41-43, 45, 49 and 52-53 contain further patentable limitations in view of independent claims 13, 40, 44 and 48 and are patentable for at least the reasons listed above.

Rejection of claims 24-28, 30 and 36-37

Claims 24-28, 30 and 36-37 currently stand rejected under 35 U.S.C. §103(a) as being unpatentable over Casamayor.

Applicant respectfully traverses and submits that the above-noted claims, as amended, are not obvious in view of Casamayor.

Claims 24 and 30 recite, *inter alia*, “a first temporary support member” and “a second temporary support member.” As discussed above, Casamayor does not teach or suggest the claimed temporary support members. Therefore, Applicant respectfully submits that the rejection is improper.

It is further submitted that claims 25-28 and 36-37 contain further patentable limitations in view of independent claim 24 and are patentable for at least the reasons listed above.

Added Claims

Applicant herein further submits added claims 54 and 55 for Examination. These claims recite limitations previously indicated by the Examiner as allowable, specifically previously pending claims 13, 38 and 39. Therefore, Applicant respectfully requests passage of these claims to issuance.

Allowed Claims

Claims 21-23 and 35 have been allowed.

CONCLUSION

All rejections and objection have been addressed. Reconsideration of the amended application and passage to allowance is respectfully requested.

Respectfully submitted,

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